

**U.S. District Court
District of Columbia (Washington, DC)
CIVIL DOCKET FOR CASE #: 1:18-cv-02025-APM**

AMERICAN OVERSIGHT v. UNITED STATES
DEPARTMENT OF JUSTICE et al
Assigned to: Judge Amit P. Mehta
Cause: 05:552 Freedom of Information Act

Date Filed: 08/29/2018
Jury Demand: None
Nature of Suit: 895 Freedom of
Information Act
Jurisdiction: U.S. Government Defendant

Plaintiff

AMERICAN OVERSIGHT

represented by **Hart W. Wood**
AMERICAN OVERSIGHT
1030 15th Street, NW
Suite B255
Washington, DC 20005
(202) 873-1743
Fax: (202) 871-6523
Email: hart.wood@americanoversight.org
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Daniel Alexander McGrath
AMERICAN OVERSIGHT
1030 15th Street, NW
Suite B255
Washington, DC 20005
(202) 897-4213
Email: daniel.mcgrath@americanoversight.org
ATTORNEY TO BE NOTICED

Elizabeth France
AMERICAN OVERSIGHT
1030 15th Street, NW
Suite B255
Washington, DC 20005
(202) 897-2465
Fax: (202) 871-6523
Email: beth.france@americanoversight.org
ATTORNEY TO BE NOTICED

V.

Defendant

**UNITED STATES DEPARTMENT
OF JUSTICE**

represented by **Denise M. Clark**
U.S. ATTORNEY'S OFFICE FOR THE
DISTRICT OF COLUMBIA
555 Fourth Street, NW
Washington, DC 20530
(202) 252-6605
Fax: (202) 252-2599
Email: denise.clark@usdoj.gov
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

**UNITED STATES DEPARTMENT
OF THE TREASURY**

represented by **Denise M. Clark**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant**UNITED STATES DEPARTMENT
OF STATE**represented by **Denise M. Clark**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED**Defendant****UNITED STATES DEPARTMENT
OF DEFENSE**represented by **Denise M. Clark**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED**Defendant****UNITED STATES DEPARTMENT
OF HEALTH AND HUMAN
SERVICES**represented by **Denise M. Clark**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED**Defendant****FEDERAL COMMUNICATIONS
COMMISSION**represented by **Denise M. Clark**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED**Defendant****CENTERS FOR MEDICARE AND
MEDICAID SERVICES**represented by **Denise M. Clark**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
08/29/2018	<u>1</u>	COMPLAINT against CENTERS FOR MEDICARE AND MEDICAID SERVICES, FEDERAL COMMUNICATIONS COMMISSION, UNITED STATES DEPARTMENT OF DEFENSE, UNITED STATES DEPARTMENT OF HEALTH AND HUMAN SERVICES, UNITED STATES DEPARTMENT OF JUSTICE, UNITED STATES DEPARTMENT OF STATE, UNITED STATES DEPARTMENT OF THE TREASURY (Filing fee \$ 400 receipt number 0090-5663827) filed by AMERICAN OVERSIGHT. (Attachments: # <u>1</u> Civil Cover Sheet, # <u>2</u> Summons U.S. Attorney, # <u>3</u> Summons Attorney General, # <u>4</u> Summons U.S. Department of Justice, # <u>5</u> Summons U.S. Department of Treasury, # <u>6</u> Summons U.S. Department of State, # <u>7</u> Summons U.S. Department of Defense, # <u>8</u> Summons U.S. Department of Health and Human Services, # <u>9</u> Summons Federal Communications Commission, # <u>10</u> Summons Centers for Medicare and Medicaid Services)(France, Elizabeth) (Entered: 08/29/2018)
08/29/2018	<u>2</u>	LCvR 7.1 CERTIFICATE OF DISCLOSURE of Corporate Affiliations and Financial Interests by AMERICAN OVERSIGHT (France, Elizabeth) (Entered: 08/29/2018)
08/29/2018		Case Assigned to Judge Amit P. Mehta. (zmd) (Entered: 08/30/2018)
08/31/2018	<u>3</u>	SUMMONS (9) Issued Electronically as to CENTERS FOR MEDICARE AND MEDICAID SERVICES, FEDERAL COMMUNICATIONS COMMISSION, UNITED STATES DEPARTMENT OF DEFENSE, UNITED STATES DEPARTMENT OF HEALTH AND HUMAN SERVICES, UNITED STATES DEPARTMENT OF JUSTICE, UNITED STATES DEPARTMENT OF STATE, UNITED STATES DEPARTMENT OF THE TREASURY, U.S. Attorney and U.S. Attorney General (Attachments: # <u>1</u> Notice and Consent) (zmd) (Entered: 08/31/2018)
09/19/2018	<u>4</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed as to the United States Attorney. Date of Service Upon United States Attorney on 9/4/2018. (

		Answer due for ALL FEDERAL DEFENDANTS by 10/4/2018.), RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed on United States Attorney General. Date of Service Upon United States Attorney General 9/10/2018., RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed. CENTERS FOR MEDICARE AND MEDICAID SERVICES served on 9/6/2018; FEDERAL COMMUNICATIONS COMMISSION served on 9/10/2018; UNITED STATES DEPARTMENT OF DEFENSE served on 9/7/2018; UNITED STATES DEPARTMENT OF HEALTH AND HUMAN SERVICES served on 9/7/2018; UNITED STATES DEPARTMENT OF JUSTICE served on 9/10/2018; UNITED STATES DEPARTMENT OF STATE served on 9/10/2018; UNITED STATES DEPARTMENT OF THE TREASURY served on 9/10/2018 (Attachments: # <u>1</u> Exhibit A)(France, Elizabeth) (Entered: 09/19/2018)
09/27/2018	<u>5</u>	NOTICE of Appearance by Denise M. Clark on behalf of CENTERS FOR MEDICARE AND MEDICAID SERVICES, FEDERAL COMMUNICATIONS COMMISSION, UNITED STATES DEPARTMENT OF DEFENSE, UNITED STATES DEPARTMENT OF HEALTH AND HUMAN SERVICES, UNITED STATES DEPARTMENT OF JUSTICE, UNITED STATES DEPARTMENT OF STATE, UNITED STATES DEPARTMENT OF THE TREASURY (Clark, Denise) (Entered: 09/27/2018)
09/27/2018	<u>6</u>	Unopposed MOTION for Extension of Time to <i>Respond</i> by CENTERS FOR MEDICARE AND MEDICAID SERVICES, FEDERAL COMMUNICATIONS COMMISSION, UNITED STATES DEPARTMENT OF DEFENSE, UNITED STATES DEPARTMENT OF HEALTH AND HUMAN SERVICES, UNITED STATES DEPARTMENT OF JUSTICE, UNITED STATES DEPARTMENT OF STATE, UNITED STATES DEPARTMENT OF THE TREASURY (Clark, Denise) (Entered: 09/27/2018)
09/28/2018		MINUTE ORDER granting Defendants' <u>6</u> Unopposed Motion for Extension of Time to File Response. The Defendants' Response shall be due on or before October 18, 2018. Signed by Judge Amit P. Mehta on 09/28/2018. (lcapm3) (Entered: 09/28/2018)
09/28/2018		Set/Reset Deadlines: Defendants' Response due by 10/18/2018. (zjd) (Entered: 10/01/2018)
10/18/2018	<u>7</u>	ANSWER to Complaint by CENTERS FOR MEDICARE AND MEDICAID SERVICES, FEDERAL COMMUNICATIONS COMMISSION, UNITED STATES DEPARTMENT OF DEFENSE, UNITED STATES DEPARTMENT OF HEALTH AND HUMAN SERVICES, UNITED STATES DEPARTMENT OF JUSTICE, UNITED STATES DEPARTMENT OF STATE, UNITED STATES DEPARTMENT OF THE TREASURY.(Clark, Denise) (Entered: 10/18/2018)
10/19/2018	<u>8</u>	ORDER. Both a Complaint and an Answer are now before the court in this FOIA case. It is hereby ordered that the parties shall meet and confer and file a Joint Status Report on or before November 2, 2018. See attached Order for additional details. Signed by Judge Amit P. Mehta on 10/19/2018. (lcapm3) (Entered: 10/19/2018)
10/19/2018		Set/Reset Deadlines: Joint Status Report due by 11/2/2018. (zjd) (Entered: 10/19/2018)
10/24/2018	<u>9</u>	NOTICE of Appearance by Daniel Alexander McGrath on behalf of AMERICAN OVERSIGHT (McGrath, Daniel) (Main Document 9 replaced on 10/24/2018) (zjf). (Entered: 10/24/2018)
11/02/2018	<u>10</u>	Joint STATUS REPORT by CENTERS FOR MEDICARE AND MEDICAID SERVICES, FEDERAL COMMUNICATIONS COMMISSION, UNITED STATES DEPARTMENT OF DEFENSE, UNITED STATES DEPARTMENT OF HEALTH AND HUMAN SERVICES, UNITED STATES DEPARTMENT OF JUSTICE, UNITED STATES DEPARTMENT OF STATE, UNITED STATES DEPARTMENT OF THE TREASURY. (Clark, Denise) (Entered: 11/02/2018)
11/05/2018		MINUTE ORDER. Upon consideration of the parties' <u>10</u> November 2, 2018, Joint Status Report, the parties are directed to file another Joint Status Report, on or before November 16, 2018, that updates the court on their progress. Signed by Judge Amit P. Mehta on 11/05/2018. (lcapm3) (Entered: 11/05/2018)

11/05/2018		Set/Reset Deadlines: Joint Status Report due by 11/16/2018. (zjd) (Entered: 11/06/2018)
11/16/2018	<u>11</u>	Joint STATUS REPORT by CENTERS FOR MEDICARE AND MEDICAID SERVICES, FEDERAL COMMUNICATIONS COMMISSION, UNITED STATES DEPARTMENT OF DEFENSE, UNITED STATES DEPARTMENT OF HEALTH AND HUMAN SERVICES, UNITED STATES DEPARTMENT OF JUSTICE, UNITED STATES DEPARTMENT OF STATE, UNITED STATES DEPARTMENT OF THE TREASURY. (Clark, Denise) (Entered: 11/16/2018)
11/19/2018		MINUTE ORDER. Upon consideration of the parties' <u>11</u> November 16, 2018, Joint Status Report, the parties are directed to file another Joint Status Report, on or before December 17, 2018, that updates the court on their progress. Signed by Judge Amit P. Mehta on 11/19/2018. (lcapm3) (Entered: 11/19/2018)
11/19/2018		Set/Reset Deadlines: Joint Status Report due by 12/17/2018. (zjd) (Entered: 11/21/2018)
12/17/2018	<u>12</u>	Joint STATUS REPORT by CENTERS FOR MEDICARE AND MEDICAID SERVICES, FEDERAL COMMUNICATIONS COMMISSION, UNITED STATES DEPARTMENT OF DEFENSE, UNITED STATES DEPARTMENT OF HEALTH AND HUMAN SERVICES, UNITED STATES DEPARTMENT OF JUSTICE, UNITED STATES DEPARTMENT OF STATE, UNITED STATES DEPARTMENT OF THE TREASURY. (Clark, Denise) (Entered: 12/17/2018)
12/18/2018		MINUTE ORDER. The parties shall file an additional Joint Status Report no later than February 4, 2019, which updates the court on Defendants' search and production efforts. Signed by Judge Amit P. Mehta on 12/18/2018. (lcapm3) (Entered: 12/18/2018)
12/18/2018		Set/Reset Deadlines: Joint Status Report due by 2/4/2019. (zjd) (Entered: 12/19/2018)
02/04/2019	<u>13</u>	Joint STATUS REPORT by CENTERS FOR MEDICARE AND MEDICAID SERVICES, FEDERAL COMMUNICATIONS COMMISSION, UNITED STATES DEPARTMENT OF DEFENSE, UNITED STATES DEPARTMENT OF HEALTH AND HUMAN SERVICES, UNITED STATES DEPARTMENT OF JUSTICE, UNITED STATES DEPARTMENT OF STATE, UNITED STATES DEPARTMENT OF THE TREASURY. (Clark, Denise) (Entered: 02/04/2019)
02/05/2019		MINUTE ORDER. The parties shall update the court no later than March 7, 2019, as to their continued efforts regarding the scope and processing of responsive information. Signed by Judge Amit P. Mehta on 02/05/2019. (lcapm3) (Entered: 02/05/2019)
02/05/2019		Set/Reset Deadlines: Joint Status Report due by 3/7/2019. (zjd) (Entered: 02/06/2019)
03/07/2019	<u>14</u>	Joint STATUS REPORT by CENTERS FOR MEDICARE AND MEDICAID SERVICES, FEDERAL COMMUNICATIONS COMMISSION, UNITED STATES DEPARTMENT OF DEFENSE, UNITED STATES DEPARTMENT OF HEALTH AND HUMAN SERVICES, UNITED STATES DEPARTMENT OF JUSTICE, UNITED STATES DEPARTMENT OF STATE, UNITED STATES DEPARTMENT OF THE TREASURY. (Clark, Denise) (Entered: 03/07/2019)
03/14/2019		MINUTE ORDER. The parties shall file an additional Joint Status Report no later than April 7, 2019. Signed by Judge Amit P. Mehta on 03/14/2019. (lcapm3) (Entered: 03/14/2019)
03/14/2019		Set/Reset Deadlines: Joint Status Report due by 4/7/2019. (zjd) (Entered: 03/21/2019)
04/08/2019	<u>15</u>	Joint STATUS REPORT by CENTERS FOR MEDICARE AND MEDICAID SERVICES, FEDERAL COMMUNICATIONS COMMISSION, UNITED STATES DEPARTMENT OF DEFENSE, UNITED STATES DEPARTMENT OF HEALTH AND HUMAN SERVICES, UNITED STATES DEPARTMENT OF JUSTICE, UNITED STATES DEPARTMENT OF STATE, UNITED STATES DEPARTMENT OF THE TREASURY. (Clark, Denise) (Entered: 04/08/2019)
04/18/2019		MINUTE ORDER. The parties shall file an additional Joint Status Report no later than May 22, 2019. Signed by Judge Amit P. Mehta on 04/18/2019. (lcapm3) (Entered: 04/18/2019)

04/18/2019		Set/Reset Deadlines: Joint Status Report due by 5/22/2019. (zjd) (Entered: 04/18/2019)
05/03/2019		Set/Reset Hearings: Status Conference set for 5/17/2019 at 10:00 AM in Courtroom 10 before Judge Amit P. Mehta. (zjd) (Entered: 05/03/2019)
05/17/2019		Minute Entry for proceedings held before Judge Amit P. Mehta: Status Conference held on 5/17/2019. Parties report the status of this action. Next status Report due by 7/15/2019. Order to follow. (Court Reporter: Nancy Meyer.) (tj) (Entered: 05/17/2019)
07/12/2019	<u>16</u>	TRANSCRIPT OF PROCEEDINGS before Judge Amit P. Mehta held on 05/17/2019; Page Numbers: 1–15. Date of Issuance: 07/12/2019. Court Reporter: Nancy J. Meyer, Telephone number (202) 354–3118, Tape Number: N/A. Transcripts may be ordered by submitting the http://www.dcd.uscourts.gov/node/110 Transcript Order Form
		For the first 90 days after this filing date, the transcript may be viewed at the courthouse at a public terminal or purchased from the court reporter referenced above. After 90 days, the transcript may be accessed via PACER. Other transcript formats, (multi–page, condensed, CD or ASCII) may be purchased from the court reporter.
		NOTICE RE REDACTION OF TRANSCRIPTS: The parties have twenty–one days to file with the court and the court reporter any request to redact personal identifiers from this transcript. If no such requests are filed, the transcript will be made available to the public via PACER without redaction after 90 days. The policy, which includes the five personal identifiers specifically covered, is located on our website at www.dcd.uscourts.gov . Redaction Request due 8/2/2019. Redacted Transcript Deadline set for 8/12/2019. Release of Transcript Restriction set for 10/10/2019.(Meyer, Nancy) (Entered: 07/12/2019)
07/15/2019	<u>17</u>	Joint STATUS REPORT by CENTERS FOR MEDICARE AND MEDICAID SERVICES, FEDERAL COMMUNICATIONS COMMISSION, UNITED STATES DEPARTMENT OF DEFENSE, UNITED STATES DEPARTMENT OF HEALTH AND HUMAN SERVICES, UNITED STATES DEPARTMENT OF JUSTICE, UNITED STATES DEPARTMENT OF STATE, UNITED STATES DEPARTMENT OF THE TREASURY. (Clark, Denise) (Entered: 07/15/2019)
07/17/2019		MINUTE ORDER. The parties shall file an additional Joint Status Report no later than August 20, 2019. Signed by Judge Amit P. Mehta on 07/17/2019. (lcamp3) (Entered: 07/17/2019)
07/17/2019		Set/Reset Deadlines: Joint Status Report due by 8/20/2019. (zjd) (Entered: 07/17/2019)
07/17/2019		Set/Reset Deadlines: Joint Status Report due by 8/20/2019. (zjd) (Entered: 07/18/2019)
08/20/2019	<u>18</u>	Joint STATUS REPORT by CENTERS FOR MEDICARE AND MEDICAID SERVICES, FEDERAL COMMUNICATIONS COMMISSION, UNITED STATES DEPARTMENT OF DEFENSE, UNITED STATES DEPARTMENT OF HEALTH AND HUMAN SERVICES, UNITED STATES DEPARTMENT OF JUSTICE, UNITED STATES DEPARTMENT OF STATE, UNITED STATES DEPARTMENT OF THE TREASURY. (Clark, Denise) (Entered: 08/20/2019)
08/22/2019		MINUTE ORDER. The parties shall file an additional Joint Status Report no later than September 27, 2019. Signed by Judge Amit P. Mehta on 08/22/2019. (lcamp3) (Entered: 08/22/2019)
08/22/2019		Set/Reset Deadlines: Joint Status Report due by 9/27/2019. (kt) (Entered: 08/22/2019)
09/27/2019	<u>19</u>	Joint STATUS REPORT by CENTERS FOR MEDICARE AND MEDICAID SERVICES, FEDERAL COMMUNICATIONS COMMISSION, UNITED STATES DEPARTMENT OF DEFENSE, UNITED STATES DEPARTMENT OF HEALTH AND HUMAN SERVICES, UNITED STATES DEPARTMENT OF JUSTICE, UNITED STATES DEPARTMENT OF STATE, UNITED STATES DEPARTMENT OF THE TREASURY. (Clark, Denise) (Entered: 09/27/2019)
10/01/2019		MINUTE ORDER. The parties shall file an additional Joint Status Report by October 25, 2019, which updates the court on Defendants' processing and production of records. Signed by Judge Amit P. Mehta on 10/01/2019. (lcamp3) (Entered: 10/01/2019)
10/01/2019		Set/Reset Deadlines: Joint Status Report due by 10/25/2019. (zjd) (Entered: 10/01/2019)

10/22/2019	<u>20</u>	NOTICE of Appearance by Hart W. Wood on behalf of AMERICAN OVERSIGHT (Wood, Hart) (Entered: 10/22/2019)
------------	-----------	---